

REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group I: Claims 1-18, 65 and 66, drawn to a polynucleotide, classified in class 435, subclass 252.1;

Group II: Claims 19-44, drawn to a polypeptide and kit, classified in class 435, subclass 194;

Group III: Claims 45-47, drawn to a method for reverse transcribing RNA, classified in class 435, subclass 91.1;

Group IV: Claims 48-62, drawn to a method of identifying mutant polypeptide, classified in class 435, subclass 7.2; and

Group V: Claims 63-64, drawn to a method of obtaining enzyme, classified in class 435, subclass 7.1.

Applicants provisionally elect Group I, Claims 1-18, 65 and 66, drawn to a polynucleotide, with traverse on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims of the five groups.

Moreover, the MPEP at § 803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

Additionally, Applicants elect polynucleotide sequences encoding polypeptide sequences having 80% identity to residues 13-555 of SEQ ID No.: 26 and wherein said

polypeptide has at least one mutation, at position W550 (position 827 of the Taq polymerase wild-type). Examples of these sequences are SEQ ID No.: 21, SEQ ID No.: 22, SEQ ID No.: 27, SEQ ID No.: 28, SEQ ID No.: 31 and SEQ ID No.: 32.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

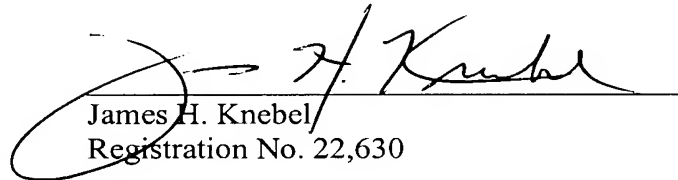
Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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